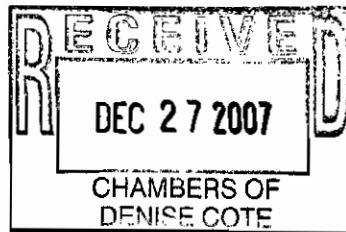


PAUL FRANK + COLLINS P.C.

John T. Sartore
Admitted in VT and NY
802.860.4105
Please reply to VT office
jsartore@PFClaw.com

December 21, 2007

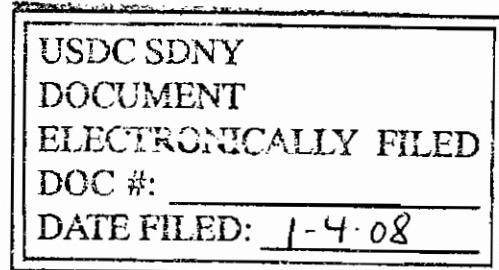
Honorable Denise Cote
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007



MEMO ENDORSED

**Re: Erik Herzfeld v. JPMorgan Chase Bank, N.A.
Civil Action No. 1:07-cv-9439 DLC**

Dear Judge Cote,



The court has scheduled the initial pretrial conference in this case for Friday, January 11, 2008 at 2:00 p.m.

I respectfully request that the conference be adjourned two weeks to January 25, 2008, as I have a long standing appointment with an oral surgeon for a dental implant that afternoon.

I am available for a conference any time on Friday, January 18, 2008, but my opposing counsel Stephanie E. Sowell, Esq. of the JPMorgan Chase legal department, will be on vacation then.

Attorney Sowell has agreed to an adjournment to Friday, January 25, 2008, and I am available any time that day. As I will be traveling from Burlington, later in the day is better than earlier. The 2:00 p.m. time slot is ideal.

Thank you for your consideration.

Cordially,

PAUL FRANK + COLLINS P.C.
John Sartore

John T. Sartore

JTS:bac

cc: Stephanie E. Sowell, Esq.

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*The conference is
adjourned to January
25 at 2:30 pm
Denise Cote
January 4, 2008*